

Owen Walter Keiper,) No. CV 09-1019-PHX-DGC (MEA)
Plaintiff,)
vs.) **ORDER**
Washington State Trial Judges, et al.,)
Defendants.)

On April 2, 2012, Plaintiff filed an Application to Proceed Without Payment of Fees and Affidavit and a motion requesting copies of filings in this matter. (Doc. 6 & 8.) The Court will deny both motions.

¹ Plaintiff indicates that he is now confined in the Anchorage Correctional Complex West in Anchorage, Alaska. (Doc. 8.)

Plaintiff's *in forma pauperis* application will be denied because this action has been closed for nearly three years. Plaintiff's motion for copies will be denied because an inmate has no right to free copies of pleadings. See In Re Richard, 914 F.2d 1526, 1527 (6th Cir. 1990) (*per curiam*) (28 U.S.C. § 1915 "does not give a litigant a right to have documents copied and returned to him at government expense"); Robinson v. Miscellaneous, No. 09C0148, 2009 WL 1649697, at *4 (E.D. Wis. June 11, 2009); Joseph v. Director of Circle K Corp., No. CV97-2214-PHX-RCB, 2008 WL 4838712, at *1 (D. Ariz. Nov. 5, 2008). Further, the Ninth Circuit has rejected any constitutional right to unlimited free photocopying. See Johnson v. Moore, 926 F.2d 921, 923 (9th Cir. 1991) (*per curiam*), superseded on other grounds, 948 F.2d 517 (9th Cir. 1991) (*per curiam*); and Sands v. Lewis, 886 F.2d 1166, 1169 (9th Cir. 1989) (rejecting any constitutional right to free and unlimited photocopying) (citing Jones v. Franzen, 697 F.2d 801, 803 (7th Cir. 1983) ("[B]road as the constitutional concept of liberty is, it does not include the right to xerox.")).

"The Supreme Court has declared that 'the expenditure of public funds [on behalf of an indigent litigant] is proper only when authorized by Congress . . .'" Tedder v. Odel, 890 F.2d 210, 211-12 (9th Cir. 1989) (quoting United States v. MacCollom, 426 U.S. 317, 321 (1976)). The *in forma pauperis* statute, 28 U.S.C. § 1915, authorizes the Court to pay for service of process on behalf of an indigent litigant and, in certain cases, to pay the costs of printing the record on appeal and preparing a transcript of proceedings, but the statute does not authorize the Court to pay the costs for an indigent litigant's general copy requests. Cf. Dixon v. Ylst, 990 F.2d 478, 480 (9th Cir. 1993) (section 1915 does not authorize the district courts to waive payment of fees or expenses for witnesses); Tedder, 890 F.2d at 211-12 (same).

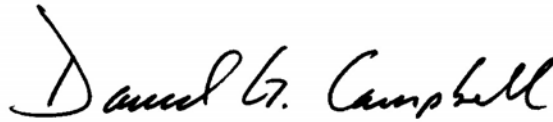
The Clerk of Court charges 50 cents per page for reproducing any record or paper. See Judicial Conference Schedule of Fees ¶ 4, foll. 28 U.S.C. § 1914. Plaintiff may obtain copies of documents filed in this case by submitting a written request accompanied by payment of the 50 cents per page copy fee.

IT IS ORDERED:

(1) Plaintiff's post-judgment *in forma pauperis* application is **denied**. (Doc. 6.)

(2) Plaintiff's motion for copies of this action is **denied**. (Doc. 8.)

DATED this 8th day of May, 2012.

A handwritten signature in black ink, reading "David G. Campbell". The signature is written in a cursive style with a large, stylized initial 'D'.

David G. Campbell
United States District Judge